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16 UNITED STATES DISTRICT COURT
17 DISTRICT OF NEVADA

18 TETSUYA NAKAMURA,
19 Plaintiff,
20 v.
21 SUNDAY GROUP INCORPORATION, SGI
22 TRUST, TOSHIKI (TODD) MITSUISHI,
23 JAMES PACK and KARL ROLLER,
24 Defendants.

Case No.: 2:22-cv-01324-MMD-EJY

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**STIPULATION AND ~~PROPOSED~~
SCHEDULING ORDER
(Third Request)**

1 Plaintiff Tetsuya Nakamura and Defendants Sunday Group Incorporated, SGI Trust,
2 Toshiki (Todd) Mitsuishi and James Pack (collectively, "Defendants"), by and through counsel,
3 hereby stipulate as follows:

4 WHEREAS, a motion to dismiss amended counterclaims remains pending in this action
5 (ECF No. 68), fully briefed as of January 12, 2024;

6 WHEREAS, in parallel, discovery is ongoing;

7 WHEREAS, as it stands, fact discovery must be completed by June 28, 2024, initial
8 expert disclosures are due by July 30, 2024, rebuttal expert disclosures are due by August 30,
9 2024, the last day for filing dispositive motions is September 30, 2024, and a joint pretrial order is
10 due by October 30, 2024 unless dispositive motions are pending (ECF No. 73);

11 WHEREAS, Defendants' document production in response to existing discovery requests
12 by Plaintiff is progressing on a rolling basis but has been delayed in part due to work with a
13 document processing vendor;

14 WHEREAS, Defendants plan to complete their document production in response to
15 existing discovery requests by Plaintiff, subject to any and all objections and Defendants' right to
16 supplement under the Federal Rules of Civil Procedure, by June 10, 2024;

17 WHEREAS, Plaintiff also plans to complete his document production in response to
18 existing discovery requests by Defendants, subject to any and all objections and Plaintiff's right
19 to supplement under the Federal Rules of Civil Procedure, by June 10, 2024;

20 WHEREAS, the parties must then evaluate the need for any motions to compel, and in
21 addition, the parties anticipate a need to schedule a number of depositions, at least one of which
22 involves a foreign national residing abroad that will present logistical hurdles;

23 WHEREAS, the parties agree that an extension of current discovery deadlines is
24 warranted;

25 IT IS ACCORDINGLY STIPULATED, pursuant to Civil Local Rule 6-1 and 6-2, that,
26 subject to any further request for an extension of time:

27 1. Fact discovery shall be completed by December 2, 2024;
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2. Initial expert disclosures shall be made no later than December 30, 2024. Rebuttal expert disclosures shall be made no later than January 30, 2025;
3. The last day for filing dispositive motions shall be March 3, 2025;
4. The joint pretrial order shall be due no later than March 31, 2025, unless dispositive motions are pending on that date in which case the due date for the joint pretrial order is automatically extended to 30 days after a decision is issued on such motions.

Dated: June 6, 2024

FENWICK & WEST LLP

By: *s/Casey O'Neill*
Casey O'Neill

Casey O'Neill

Attorneys for Plaintiff
TETSUYA NAKAMURA

CLYDE SNOW & SESSIONS, P.C.

By: /s/Timothy R. Pack
Timothy R. Pack

Attorneys for Defendants
SUNDAY GROUP INCORPORATED, SGI
TRUST, TOSHIKI (TODD) MITSUISHI AND
JAMES PACK

ORDER

IT IS SO ORDERED:

Elayna J. Youschah
THE HONORABLE ELAYNA J. YOUSCHAH
UNITED STATES MAGISTRATE JUDGE

DATED: June 7, 2024